IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

HYUNDAI TRANSLEAD, INC.)
Ex rel. the Estate of Trailer Source, Inc.,)
Plaintiff,)
v.) Case No. 3:04-cv-0582) Judge Trauger
JACKSON TRUCK & TRAILER)
REPAIR INC., et al.,)
Defendants/Counter-Plaintiffs,)))
v.	ĺ
HYUNDAI TRANSLEAD, INC.,)
Counter-Defendant.)

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion to Dismiss filed by defendants Jackson Truck & Trailer Repair, Inc., James A. Harrell, Raleigh J. Williams, and Mark Lazarus (Docket No. 89) is **GRANTED IN PART** and **DENIED IN PART**. Claims 1 and 2 of the Second Amended Complaint (Docket No. 85) are dismissed without prejudice. Claims 9, 10, 11, and 12 are dismissed with prejudice. The prayer for punitive damages on Claims 3, 4, 5, 6, and 8 is dismissed with prejudice. All claims against defendant Mark Lazarus are dismissed with prejudice.

It is so Ordered.

Entered this 29th day of October 2009.

ALETA A. TRAUGER // United States District Judge